

**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ALBANY**

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**CARMINE FIORE, WILLIAM NORGARD, :
STEVE MEJIA, and DOMINIC SPACCIO,**

Index No. 514038/2020

Plaintiff, :

against :

**DECLARATION OF COSS
MARTE, CEO of CONBUD
LLC**

**NEW YORK STATE CANNABIS CONTROL :
BOARD, NEW YORK STATE OFFICE OF
CANNABIS MANAGEMENT, TREMAINE
WRIGHT, in her official capacity as the
Chairwoman of the New York State Cannabis
Control Board, and CHRIS ALEXANDER, in
his official capacity as Executive Director of
the New York State Office of Cannabis
Management,**

Defendants. :

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STATE OF NEW YORK)

1. I am over the age of 18.
2. My name is Coss Marte.
3. I am a resident of the County of New York, State of New York
4. I am the Chief Executive Officer of CONBUD LLC, a Licensed Limited Liability Corporation incorporated in the State of New York.

5. In preparation for licensing we commissioned an expenditure of \$20,000, including business plan and licensing consulting experts.
6. On or about August 1, 2022 we submitted \$2,000 for our application fee to the Office of Cannabis management.
7. On or about April 6, 2023 CONBUD LLC, was awarded a Conditional Adult Use Recreational Dispensary (CAURD) license from the Office of Cannabis Management (OCM) License Number #000013
8. On or about May 15, 2023 I entered into architectural and engineering services for a potential location totaling approximately \$70,000.00
9. On or about April 25, 2023 we received approval for our submitted lease location from OCM.
10. On or about June 7, 2023 I entered into a contractual lease agreement, with a personal guarantee, for a dispensary located at 85 Delancey Street in the County of New York.
11. My lease deposit for the commercial space was \$420,000.00 cash, with a monthly rent of \$38,000.00 a month excluding taxes and utilities commencing October 1, 2023.
12. On or about June 22, 2023 I entered into a contractual agreement for general contracting services totaling \$271,000.00
13. On or about July 10, 2023 I entered into a contractual agreement for security cameras and services totaling \$107,994.06
14. On or about July 25, 2023, I entered into vendor purchasing agreements to procure store branded merchandise totaling approximately \$12,000.00
15. On or about July 28, 2023, I purchased storefront signage totaling over \$10,000.00
16. On or about August 3, 2023 I began hiring various consultants to manage Public Relations, Social Media, Web Design and Operational Structure, which have totaled approximately \$37, 000.00 to date.
17. On or about August 8, 2023 I entered into a contractual agreement for cabinetry and mill working totaling \$58,568.00
18. We have submitted our requisite phase two documents to the OCM and are waiting to schedule a compliance inspection.
19. During the time period from April 6, 2023 to date I have expended countless hours researching the applicable OCM regulations and guidelines. I have traveled throughout

the state to meet with numerous cultivators and processors to establish business relationships and secure letters of intent to purchase products.

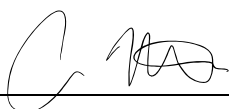
20. We are currently scheduled to open September 15, 2023.

21. CONBUD LLC and myself personally will be irreparably harmed should we not open by our targeted date.

22. Our contractual debts are non dischargeable and we would likely have to declare bankruptcy in short order.

I declare under the penalty of perjury that the foregoing is true and accurate.

Executed on 9 August 2023.

 / signature